

LAW SECRETARIAT

Supersession of the Gubbi Town Municipal Council for a period of two years.

READ—

Letter No. A6. C. 2930—38-39, dated 1st—5th April 1939, from the Deputy Commissioner, Tumkur District, submitting a report on the working of the Gubbi Town Municipality and recommending, in the circumstances stated, that it may be superseded for a period of two years.

ORDER No. L. 3529-32—ML. 106-39-1, DATED BANGALORE,
THE 3RD OCTOBER 1939.

The Deputy Commissioner, Tumkur District, reports that for some year past the Town Municipal Council of Gubbi has not been functioning properly on account of the bitter party feelings existing among the members of the Municipal Council and their lack of co-operation with the *ex-officio* President in Municipal administration and recommends, under Section 202 of the Town Municipalities Act of 1933, that the Town Municipal Council, Gubbi, may be superseded for a period of two years.

2. The financial position of the Municipality is unsatisfactory and in spite of instructions issued, the Municipal Council has made default in appointing a special Revenue Inspector for the purposes of improving the collections.

3. It is reported that it has been found very difficult to conduct the meeting of the Municipal Council owing to disorder and the loud and irresponsible speeches that are made at such meetings. The Municipal Council is, therefore, not competent to perform its duties.

4. Under Section 28 (10) of the Mysore Town Municipalities Act, 1933, it is only a President other than a salaried servant of Government who can be deemed to have vacated his office, if a resolution expressing want of confidence in him is passed by a majority of not less than two-thirds of the whole number of the Councillors present at a special meeting convened for the purpose. In the absence of the Official President on casual leave, the followers of Mr. Chennappa, Vice-President of the Municipal Council, held a special meeting of the Council on 8th February 1939, and recorded a resolution expressing want of confidence in the President. The attendance at that meeting was only ten members against a strength of 21 members in the Council. This is clearly an abuse of the powers of the Municipal Council.

5. In the above circumstances, the Deputy Commissioner recommends that the Municipal Council may be superseded for some time.

6. After a careful consideration of all the facts of the case, Government agree with the Deputy Commissioner that the Municipal Council has failed to place public interests above party feelings and has shown itself to be incompetent to discharge the responsible duties entrusted to it under the Statute. Accordingly, by virtue of powers vested in them under Section 203 of the Town Municipalities Act, Government hereby direct that the Gubbi Town Municipal Council be superseded for a period of two years from the date of publication of this order in the Gazette. The powers and duties of the Municipal Council will, during the period of supersession be exercised by the Amildar, Gubbi Taluk, assisted by a Chief Officer to be appointed for the purpose.

C. SUBRAHMANYA AIYAR,
*Secretary to Government,
Law Department.*

Allotment of Funds from the Road Funds for expenditure in respect of District Fund Roads.

READ—

Paras 26, 28, 29 and 30 of the report of the Committee appointed to examine the finances of District Boards.

2. Correspondence ending with unofficial note No. 69, dated 29th July 1939, from the Chief Engineer of Mysore, furnishing his views in the matter.